



THE CITY RECORD

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THE CITY RECORD

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MARTHA K. HIRST, Commissioner, Department of Citywide Administrative Services.
ELI BLACHMAN, Editor of The City Record.

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

QUEENS BOROUGH PRESIDENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Borough President of Queens, Helen Marshall, on Thursday, April 2, 2009 at 10:30 A.M., in the Borough Presidents Conference Room located at 120-55 Queens Boulevard, Kew Gardens, New York 11424, on the following items:

NOTE: Individuals requesting Sign Language Interpreters should contact the Borough President's Office, (718) 286-2860, TDD users should call (718) 286-2656, no later than FIVE BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

CD 03 - BSA #94-58-BZ - IN THE MATTER of an application submitted by Vassalotti Associates, on behalf of 31-02 68th Realty Corporation, pursuant to Sections 11-411 of the NYC Zoning Resolution, to extend the term of variance for an additional ten (10) years for an existing gasoline station in an R4 zoning district located at 31-02 68th Street, Block 1138, Lot 27, Zoning Map 9d, Jackson Heights, Borough of Queens.

CD06 - ULURP #C090283 ZMQ - IN THE MATTER of an application submitted by the Department of City Planning, pursuant to Section 197-c and 201 of New York City Charter, for an amendment of the Zoning Map, from an R1-2 district to an R1-2A district, an area bounded by a line midway between 66th Avenue, and 66th Road, 110th Street, 67th Road, 112th Street, the easterly centerline prolongation line of 67th Drive, the southwesterly service road of the Grand Central Parkway, the easterly centerline prolongation of 72nd Avenue, a line 425 feet northeasterly of 112th Street, a line midway between 72nd Avenue and 72nd Road, 112th Street, 71st Avenue, 110th Street, 70th Road and 108th Street, zoning map 14a, Forest Hills, Borough of Queens.]

m27-a2

CITY COUNCIL

■ PUBLIC HEARING

HEARING BY THE COMMITTEE ON RULES,
PRIVILEGES AND ELECTIONS

THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS WILL HOLD A HEARING ON THURSDAY, APRIL 2, 2009, AT 10:30 A.M. IN THE COUNCIL CHAMBERS, CITY HALL, NEW YORK, NEW YORK 10007 ON THE FOLLOWING MATTER:

APPOINTMENT

● **Preconsidered M**, Malini Cadambi Daniel, candidate for appointment by the Council to the New York City Equal Employment Practices Commission pursuant to § 830 of the New York City Charter. If Ms. Cadambi Daniel is appointed, she will be eligible to serve for the remainder of a four-year term expiring on June 30, 2012.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

A Calendar of speakers will be established in advance. Persons interested in being heard should write to the Honorable Christine C. Quinn, Speaker of the City Council, City Hall, New York, New York 10007, setting forth their name, representation and viewpoints.

Michael M. McSweeney
City Clerk, Clerk of the Council

m26-a2

CITY PLANNING

■ PUBLIC HEARINGS

FORMULATION of PROPOSED 2010 CONSOLIDATED PLAN FIVE-YEAR STRATEGIC PLAN

A public hearing on the formulation of the Proposed 2010 Consolidated Plan: the Five-Year Strategic Plan (2010 - 2014) for US-HUD Formula Entitlement Funds will be held on **TUESDAY, APRIL 14, 2009** beginning at **10:00 A.M.** at the Department of City Planning located at 22 Reade Street, Spector Hall, Manhattan.

The Consolidated Plan defines the use of federal entitlement funds for housing, homeless assistance, supportive housing services and community development programs and is required by the United States Department of Housing and Urban Development (HUD). It consolidates the statutory requirements of the Cranston-Gonzalez Housing Act's Comprehensive Housing Affordability Strategy, and the City's application for the four HUD Office of Community Planning and Development entitlement programs: Community Development Block Grant (CDBG), HOME Investment Partnership, Emergency Shelter Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). The report will define the use of these federal funds for Consolidated Plan Program Years 2010 - 2014.

The PUBLIC HEARING has been scheduled to obtain comments on the formulation of the document and on the City's use of federal funds to address housing, services for the homeless, supportive housing service and community development needs, and the development of proposed activities. Another purpose of this session is to answer and discuss questions concerning the *Proposed 2010 Consolidated Plan: One Year Action Plan*. In addition, at this forum, agency representatives will receive comments on the City's performance of Consolidated Plan activities in 2008.

For more information contact: Charles V. Sorrentino, New York City Consolidated Plan Coordinator, Department of City

Planning, 22 Reade Street 4N, New York, New York 10007, (212) 720-3337.

m31-a13

CIVILIAN COMPLAINT REVIEW BOARD

■ PUBLIC MEETING

The Civilian Complaint Review Board's Monthly Public meeting has been scheduled for Wednesday, April 8th, 2009 at 10:00 A.M. at 40 Rector Street, 2nd Floor.

Contact: Philip Weitzman, Press Secretary, (212) 442-1629, pweitzman@ccrb.nyc.gov.

The agency's Executive Director Report will be available online on Friday, April 3rd, 2009 at nyc.gov/ccrb.

a1-7

COMMUNITY BOARDS

■ PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 8 - Thursday, April 2, 2009 at 7:30 P.M., Beacon 168, Parsons J.H.S. - Auditorium, 158-40 76th Road, Flushing, NY

BSA# 24-09-BZ

78-10 164th Street- Meadow Park Rehabilitation and Health Care Center LLC

This application is filed pursuant to Section 72-21 of the Zoning Resolution of the City of New York, the application seeks to permit the construction of a three-story addition to the existing health care facility located in an R3-2 zoning district.

m27-a2

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 14 - Monday, April 6, 2009 at 7:00 P.M., 810 East 16th Street, (between Avenue H and Dead End), Brooklyn, NY

BSA# 301-08-BZ

1103 East 22nd Street between Avenue J and Avenue K Application has been filed with the Board of Standards and Appeals (BSA) for an extension of time to complete construction and to obtain a Certificate of Occupancy. In conjunction with this extension request, there is also an amendment request to modify the previously approved plans, and a request for a waiver of the rules of procedure due to a late filing.

m31-a6

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 2 - Thursday, April 2, 2009 at 7:00 P.M., Sunnyside Community Services, 43-31 39th Street, 1st Floor, Sunnyside, NY

BSA# 1-09-BZ

Premises - 39-01 Queens Boulevard

IN THE MATTER OF an application for a special permit to allow the operation of a Physical Culture Establishment (PCE) Health Club at the premises.

N090316ZRY

Department of City is proposing an Inclusionary Housing text amendment zoning changes. The proposed text amendment would create a homeownership option that would allow affordable units qualifying for the bonus to be permanently affordable homeownership units.

The school construction authority notice has been filed for the proposed acquisition of Block 249, Lot 1, to discuss the notice of filing for the proposed site selection and acquisition of the property currently occupied by Middle College High School at LaGuardia Community College.

m30-a2

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 4 - Tuesday, April 7, 2009, 7:00 P.M., VFW Post #150, 51-11 108th Street, Corona, NY

Global Entertainment Group, LLC (DBA) Play - 77-17 Queens Boulevard
Application to NYC Department of Consumer Affairs, Global Entertainment Group, LLC (DBA) Play is requesting permission to operate an unenclosed sidewalk café consisting of 13 tables and 26 seats at above location.

Sabor Latino, Corp. - 95-35 40th Road
Application to NYC Department of Consumer Affairs, Sabor Latino, Corp is requesting permission to operate an unenclosed sidewalk cafe consisting of 18 tables and 36 seats at above location.

a1-7

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF STATEN ISLAND

COMMUNITY BOARD NO. 2 - Tuesday, April 7, 2009 at 7:30 P.M., 460 Brielle Avenue, Staten Island, NY

BSA# 44-09-BZ

2175 Richmond Avenue
Construct a new two-story retail store and office building with accessory on-site parking for seventy-one (71) parking spaces.

BSA# 951-55-BZ

1098 Richmond Road
Application to make minor amendment to previously approved plans including the proposed installation of a canopy over the fuel pumps as well as minor reconfiguration of the existing pump islands.

a1-7

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 11 - Monday, April 6, 2009 at 7:30 P.M., M.S. 158, 46-35 Oceania Street, Bayside, NY

BSA# 20-09-BZ

An application to the NYC Board of Standards and Appeals for a special permit to allow rooftop cellular communication equipment exceeding 400 sq.ft. located in an R3-2 residential zone, within a C1-2 overlay at 54-44 Little Neck Parkway. A request by the Douglaston/Little Neck Historical Society and the Douglaston Hill Committee to change the official City Map, returning numbered streets to their original name status on seven (7) streets in the Douglaston Hill area of Queens.

m31-a6**DESIGN & CONSTRUCTION****■ PUBLIC HEARINGS**

PLEASE TAKE NOTICE, that in accordance with Section 201-204 (inclusive) of the New York State Eminent Domain Procedure Law ("EDPL"), a public hearing will be held by the New York City Department of Design and Construction, on behalf of the City of New York in connection with the acquisition of certain properties for roadway reconstruction including sewers, water mains, traffic lights, sidewalk, and pedestrian ramps at certain portions of Barnes Avenue from Tilden Street to East 222nd Street (Capital Project HWX647B) - Borough of The Bronx.

The time and place of the hearing is as follows:

DATE: Monday, April 20, 2009
TIME: 10:00 A.M.
LOCATION: Community Board No.12
4101 White Plains Road
Bronx, NY 10466

The purpose of this hearing is to inform the public of the proposed acquisition of certain street beds and adjacent properties and to review the public use to be served by the project and the impact on the environment and residents. The scope of this Capital Project entails roadway reconstruction including the installation of sewers, water mains, traffic lights, sidewalk, and pedestrian ramps, etc.

The properties proposed to be acquired are located in the borough of the Bronx as follows:

Barnes Avenue from Tilden Street to East 222nd Street as shown on Damage and Acquisition Map No. 12520, dated May 2, 2008.

The properties affected include the following areas as shown on the Tax Map of the City of New York for the borough of the Bronx:

- Block 4668, part of Lots 1, 7, 8, 9, 10, 11;
- Block 4671, part of Lots 31, 32, 33, 51;
- Block 4672, part of Lots 39, 40, 42, 138; and
- Bed of Street for Barnes Avenue from Tilden Street to East 222nd Street.

There are no proposed alternate locations.

Any person in attendance at this meeting shall be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the proposed acquisition. Each speaker shall be allotted a maximum of five (5) minutes. In addition, written statements may be submitted to the General Counsel at the address stated below, provided the comments are received by 5:00 P.M. on April 27, 2009 (5 working days from public hearing date).

NYC Department of Design and Construction
Office of General Counsel, 4th Floor
30-30 Thomson Avenue
Long Island City, NY 11101

Please note: Those property owners who may subsequently wish to challenge condemnation of their property via judicial review may do so only on the basis of issues, facts and objections raised at the public hearing.

m30-a3**FRANCHISE AND CONCESSION REVIEW COMMITTEE****■ MEETING****NOTICE OF CANCELLATION**

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee that was to hold a Public Meeting on Wednesday, April 8, 2009 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan, has been cancelled.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contracts Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007 (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay service.

a1-8**LANDMARKS PRESERVATION COMMISSION****■ PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **April 07, 2009** at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-6355 - Block 221, lot 35-12-16 Vestry Street, aka 440-444 Canal Street - Tribeca North Historic District

A late nineteenth century commercial style warehouse with Romanesque Revival style elements designed by Charles Haight and built in 1882-83, and altered in 1925 with a new Canal Street façade. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-4018 - Block 181, lot 18-177 Franklin Street - Tribeca West Historic District
A neo-Grec style store and loft building designed by Robert Callick and built in 1890. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-7418 - Block 498, lot 27-101 Spring Street - SoHo-Cast Iron Historic District
A cast iron store building with Classical and neo-Grec style details designed by N. Whyte and built in 1870-1871. Application is to install rooftop mechanical equipment, and modify storefront infill. Zoned M1-5B.

MODIFICATION OF USE AND BULK

BOROUGH OF MANHATTAN 09-7415 - Block 498, lot 27-101 Spring Street - SoHo-Cast Iron Historic District
A cast iron store building with Classical and neo-Grec style details designed by N. Whyte and built in 1870-1871. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned M1-5B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-7589 - Block 474, lot 14-53 Mercer Street - SoHo-Cast Iron Historic District

A brick store and loft building built in 1868. Application is to remove a fire-escape and install new storefront infill.

MODIFICATION OF USE AND BULK

BOROUGH OF MANHATTAN 09-7274 - Block 474, lot 14-53 Mercer Street - SoHo-Cast Iron Historic District
A brick store and loft building built in 1868. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned M1-5B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-6813 - Block 506, lot 12-40 Charlton Street- Charlton – King - Vandam Historic District

A Gothic style school building built in the 1920s. Application is to construct a barrier-free access ramp.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-7107 - Block 642, lot 1-113 Jane Street - American Seamen's Friend Society Sailor's Home-Individual Landmark
A neo-Classical style building designed by William A. Boring and built in 1907-08. Application is to construct rooftop additions. Zoned C6-2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-8507 - Block 635, lot 37-113-115 Bank Street - Greenwich Village Historic District
A pair of three-story houses built in 1857 and later converted for industrial use. Application is to enlarge a rooftop addition, install a chimney, and enlarge the areaway. Zoning R6.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-5877 - Block 743, lot 83-156 9th Avenue - Chelsea Historic District
A vernacular style rowhouse with a ground floor storefront built in 1852. Application is to replace storefront infill. Zoned C2-6A.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-7587 - Block 1121, lot 25-15 West 68th Street - Upper West Side/Central Park West Historic District
A Beaux Arts style rowhouse designed by Buchman & Fox and built in 1909-10. Application is to modify a window opening to accommodate an at-grade entrance.

MODIFICATION OF USE AND BULK

BOROUGH OF MANHATTAN 09-3804 - Block 1121, lot 25-15 West 68th Street - Upper West Side/Central Park West Historic District
A Beaux Arts style rowhouse designed by Buchman & Fox and built in 1909-10. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-8278 - Block 1205, lot 29-315 Central Park West - Upper West Side/Central Park West Historic District
A neo-Renaissance style apartment building designed by Schwartz and Gross and built in 1912-13. Application is to construct a barrier-free access ramp.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-6640 - Block 1202, lot 41-22 West 89th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse designed by Gilbert A. Schellenger and built in 1894. Application is to construct a rear yard addition and relocate a window. Zoned R7-2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-6320 - Block 1380, lot 23-753-759 Madison Avenue, aka 27-31 East 65th Street - Upper East Side Historic District
An apartment building designed by Anthony M. Pavia and built in 1959. Application is to legalize the installation of a storefront without Landmarks Preservation Commission permits and the installation of a storefront in non-compliance with Certificate of No Effect 08-8604.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-5983 - Block 1404, lot 9-117 -119 East 69th Street - Upper East Side Historic District
A neo-Georgian style townhouse designed by Julius F. Gaynor and built in 1928-29. Application is to modify the rear facade.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-1195 - Block 1393, lot 33-878-888 Park Avenue, aka 61-71 East 78th Street - Upper East Side Historic District
A neo-Tudor style apartment building designed by Schwartz & Gross and built in 1926-1927. Application is to legalize the installation of through-the-wall air conditioners without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-6711 - Block 1505, lot 11-17 East 93rd Street - Carnegie Hill Historic District
A Renaissance Revival style rowhouse designed by William Graul built in 1891-92, altered by Harry Silverman in 1939. Application is to alter the fenestration and areaway, replace windows, and construct rear yard and rooftop additions. Zoned R-8B [LH-1A].

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-2731 - Block 2059, lot 156-466 West 145th Street - Hamilton Heights Historic District Extension
A Renaissance Revival style rowhouse designed by G. A. Schellenger and built in 1896. Application is to alter the

areaway and entrance to accommodate a barrier-free access ramp.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-4201 - Block 2067, lot 10-469 West 152nd Street - Hamilton Heights/Sugar Hill Northwest Historic District
A Renaissance Revival style apartment house designed by John P. Leo and built in 1895. Application is to legalize the installation of windows without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 09-6846 - Block 230, lot 15-112 Hicks Street - Brooklyn Heights Historic District
An eclectic style rowhouse built between 1880-1899. Application is to construct a rear yard addition.
Zoned R6, LH-1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 09-7534 - Block 145, lot 35-503 Fulton Street - Offerman Building-Individual Landmark
A Romanesque Revival style commercial building designed by Peter J. Lauritzen and built between 1890 and 1893, with later alterations by Morris Lapidus in 1947. Application is to install storefront infill, lighting, and a marquee and to construct rooftop additions. Zoned C6-4.5.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 09-6886 - Block 2119, lot 10-301 Cumberland Street - Fort Greene Historic District
A Moorish Revival style apartment house built circa 1920. Application is to legalize painting the door and window enframements, altering the areaway, and installing a door and awning, all without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 09-3772 - Block 1915, lot 47-254 Clinton Avenue - Clinton Hill Historic District
Originally a 19th century rowhouse, altered as a one-story institutional building by Henry McGill in 1940. Application is to demolish the existing building and construct a new gymnasium building. Zoned R6B.

m25-a7

TRANSPORTATION

■ PUBLIC HEARINGS

Notice is hereby given, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 40 Worth Street, Room 814 commencing at 2:00 P.M. on Wednesday, April 15, 2009. Interested Parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9th Floor South, New York, NY 10013, or by calling (212) 442-8040.

#1 In the matter of a proposed revocable consent authorizing Museum of Arts and Design to construct, maintain and use 4 benches on the south sidewalk of Columbus Circle and 3 benches on the west sidewalk of Broadway at 2 Columbus Circle, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2019 - \$1050/annum

the maintenance of a security deposit in the sum of \$2,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing 712 St. Nicholas Company Inc. to continue to maintain and use a fenced-in area on the east sidewalk of St. Nicholas Avenue, north of 145th Street, in the Borough of Manhattan. The proposed revocable consent is for a term from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2019 - \$25/annum

the maintenance of a security deposit in the sum of \$2,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing Joseph Jaffoni and Gerri Ann Stern Jaffoni to continue to maintain and use a stoop and a fenced-in area on the north sidewalk of West 12th Street, between Greenwich Street and Hudson Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2019 - \$25/annum

the maintenance of a security deposit in the sum of \$2,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing American International Realty Corp. to continue to maintain and use a bridge over and across Pine Street,

near Pearl Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$25,116
For the period July 1, 2010 to June 30, 2011 - \$25,848
For the period July 1, 2011 to June 30, 2012 - \$26,580
For the period July 1, 2012 to June 30, 2013 - \$27,312
For the period July 1, 2013 to June 30, 2014 - \$28,044
For the period July 1, 2014 to June 30, 2015 - \$28,776
For the period July 1, 2015 to June 30, 2016 - \$29,508
For the period July 1, 2016 to June 30, 2017 - \$30,240
For the period July 1, 2017 to June 30, 2018 - \$30,972
For the period July 1, 2018 to June 30, 2019 - \$31,704

the maintenance of a security deposit in the sum of \$31,789, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

#5 In the matter of a proposed revocable consent authorizing Two Little Hens Ltd. to maintain and use two benches on the west sidewalk of 8th Avenue, north of 12th Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2019 - \$300/annum

the maintenance of a security deposit in the sum of \$300, the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

m25-a15

YOUTH AND COMMUNITY DEVELOPMENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Wednesday, April 15, 2009, 156 William Street, 2nd Floor Auditorium, Borough of Manhattan, commencing at 2:30 P.M. on the following:

IN THE MATTER of the proposed contract between the Department of Youth and Community Development and the Contractor listed below for the operation of a social service program designed to meet the needs of the immigrant population of New York City. The Contractor's PIN number and contract amount is indicated below. The term of the contract shall be from July 1, 2008 to June 30, 2009, with no option to renew.

Contractor/Address

1. MFY Legal Services, Inc.
299 Broadway, New York, NY 10009

PIN# 26009776064G **Amount** \$110,000.00
Location Manhattan

The proposed contractor is being funded by City Council Discretionary Funds, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

Drafts of the contract may be inspected at the Department of Youth and Community Development, Office of the ACCO, 156 William Street, 2nd Floor, New York, NY 10038 on business days between the hours of 9:00 A.M. and 5:00 P.M., from April 2, 2009, to April 15, 2009, excluding weekends and holidays.

IN THE MATTER of the proposed contract between the Department of Youth and Community Development and the Contractor listed below to provide street outreach services which will provide various activities to at-risk youths in New York City. The Contractor's PIN number and contract amount is indicated below. The term of the contract shall be from July 1, 2008 to June 30, 2009, with no option to renew.

Contractor/Address

1. El Puente De Williamsburg 211 South 4th Street,
Brooklyn, NY 11211

PIN# 26009090109G **Amount** \$175,000.00

The proposed contractor is being funded by City Council Discretionary Funds, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

Drafts of the contract may be inspected at the Department of Youth and Community Development, Office of the ACCO, 156 William Street, 2nd Floor, New York, NY 10038 on business days between the hours of 9:00 A.M. and 5:00 P.M., from April 2, 2009 to April 15, 2009, excluding weekends and holidays.

IN THE MATTER of the proposed contract between the Department of Youth and Community Development and the Contractor listed below to administer various programs for at-risk youth, which include employment, education, and recreational services, in New York City. The Contractor's PIN number and contract amount is indicated below. The term of the contract shall be from July 1, 2008 to June 30, 2009, with no option to renew.

Contractor/Address

1. Neighborhood Initiatives Development Corp.
2523 Olinville Avenue, Bronx, NY 10467

PIN# 26009012342G **Amount** \$110,214.00

The proposed contractor is being funded by City Council Discretionary Funds, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

Drafts of the contract may be inspected at the Department of Youth and Community Development, Office of the ACCO, 156 William Street, 2nd Floor, New York, NY 10038 on business days between the hours of 9:00 A.M. and 5:00 P.M., from April 2, 2009 to April 15, 2009, excluding weekends and holidays.

Anyone who wishes to speak at these public hearings should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests to speak should be sent to Mr. Vincent Perneti, Deputy Agency Chief Contracting Officer, 156 William Street, 2nd Floor, New York, NY 10038, vpernetti@dycd.nyc.gov. If the Department of Youth and Community Development receives no written requests to speak within the prescribed time, the Department reserves the right not to conduct the public hearing.

a2

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 09001- U AND V

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on WEDNESDAY, APRIL 29, 2009 (SALE NUMBER 09001-V). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

NOTE: The auction scheduled for Wednesday, April 15, 2009 (SALE NUMBER 09001-U) has been cancelled.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets).

A listing of vehicles to be offered for sale in the next auction can be viewed on our Web site, on the Friday prior to the sale date at: <http://www.nyc.gov/auctions>
Terms and Conditions of Sale can also be viewed at this site.

For further information, please call (718) 417-2155 or (718) 625-1313.

a1-29

POLICE

OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT.

The following listed property is in the custody, of the Property Clerk Division without claimants.

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.
Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES

(All Boroughs):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- * Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- * Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- * Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- * Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- * Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

■ AUCTION

PUBLIC AUCTION SALE NUMBER 1155

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, automobiles, trucks, and vans. Inspection day is April 6, 2009 from 10:00 A.M. - 2:00 P.M.

Salvage vehicles, motorcycles, automobiles, trucks and vans will be auctioned on April 7, 2009 at approximately 9:30 A.M.

Auction will be held at the Erie Basin Auto Pound, 700 Columbia Street (in Redhook area of B'klyn., 2 blocks from Halleck St.)

For information concerning the inspection and sale of these items, call the Property Clerk Division's Auction Unit information line (646) 610-4614.

m25-a7

PROCUREMENT

“The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City’s prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence.”

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

MESSAGE SIGNS, VARIABLE, SOLAR POWERED NYPD – Competitive Sealed Bids – PIN# 8570801482 – DUE 04-22-09 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Citywide Administrative Services, Office of Vendor Relations, 1 Centre Street, Room 1800, New York, NY 10007. Jeanette Megna (212) 669-8610.

a2

FRUITS AND VEGETABLES FRESH – Competitive Sealed Bids – PIN# 8570900902 – DUE 04-07-09 AT 10:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Citywide Administrative Services, 1 Centre Street, Room 1800, New York, NY 10007. Jeanette Megna (212) 669-8610.

a2

■ AWARDS

Goods

MODULAR MUSIC PRACTICE ROOMS – Competitive Sealed Bids – PIN# 857900559 – AMT: \$199,687.00 – TO: Quietstar Industries, LLC, 7216 Bergenline Avenue, Suite 500, North Bergen, NJ 07047.

● **FIRE HYDRANT PARTS (II)** – Competitive Sealed Bids – PIN# 857900092 – AMT: \$464,669.34 – TO: Mueller Company, Ltd., 500 West Eldorado Street, Decatur, IL 62522.

● **GRP: EUCLID HD BRAKES, PARTS AND ACCESSORIES** – Competitive Sealed Bids – PIN# 857900481 – AMT: \$542,400.00 – TO: Gabrielli Truck Sales Ltd., 153-20 South Conduit Avenue, Jamaica, NY 11434.

● **COMPOUND, FLOOR SWEEPING** – Competitive Sealed Bids – PIN# 857900669 – AMT: \$12,600.00 – TO: Bono Sawdust Supply Co., Inc., 33-30 127th Place, Corona, NY 11368.

a2

■ VENDOR LISTS

Goods

ACCEPTABLE BRAND LIST – In accordance with PPB Rules, Section 2-05(c)(3), the following is a list of all food items for which an Acceptable Brands List has been established.

1. Mix, Biscuit - AB-14-1:92
2. Mix, Bran Muffin - AB-14-2:91
3. Mix, Corn Muffin - AB-14-5:91
4. Mix, Pie Crust - AB-14-9:91
5. Mixes, Cake - AB-14-11:92A
6. Mix, Egg Nog - AB-14-19:93
7. Canned Beef Stew - AB-14-25:97
8. Canned Ham Shanks - AB-14-28:91
9. Canned Corned Beef Hash - AB-14-26:94
10. Canned Boned Chicken - AB-14-27:91
11. Canned Corned Beef - AB-14-30:91
12. Canned Ham, Cured - AB-14-29:91
13. Complete Horse Feed Pellets - AB-15-1:92
14. Canned Soups - AB-14-10:92D
15. Infant Formula, Ready to Feed - AB-16-1:93
16. Spices - AB-14-12:95
17. Soy Sauce - AB-14-03:94
18. Worcestershire Sauce - AB-14-04:94

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply

Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

j4-jy17

EQUIPMENT FOR DEPARTMENT OF SANITATION – In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:
A. Collection Truck Bodies
B. Collection Truck Cab Chassis
C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

j4-jy17

OPEN SPACE FURNITURE SYSTEMS - CITYWIDE – In accordance with PPB Rules, Section 2.05(c)(3), an Acceptable Brands List, #AB-17W-1:99, has been established for open space furniture systems.

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8610.

j4-jy17

CORRECTION

CENTRAL OFFICE OF PROCUREMENT

■ AWARDS

Services (Other Than Human Services)

FORENSIC DRUG TESTING – Renewal – PIN# 072200518HMD – AMT: \$51,150.00 – TO: Bendiner and Schlesinger Inc., 140 58th Street, Suite 8D, Brooklyn, NY 11220.

a2

DESIGN & CONSTRUCTION

CONTRACT SECTION

■ SOLICITATIONS

Construction / Construction Services

CONSTRUCTION OF CATCH BASINS IN VARIOUS LOCATIONS, MANHATTAN – Competitive Sealed Bids – PIN# 8502009SE0017C – DUE 04-22-09 AT 11:00 A.M. – PROJECT NO.: SECBHLN2. Experience requirements. Bid documents are available at: <http://www.nyc.gov/ddc> This bid solicitation includes M/WBE participation goals for subcontracted work. For the M/WBE goals, please visit our website at www.ddc.nyc.gov/buildnyc See “Bid Opportunities.” For more information about M/WBE certification, please call 311 or go to www.nyc.gov/getcertified. Apprenticeship Requirements apply to this contract. Vendor Source ID#: 59069.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Bid documents deposit - \$35.00 per set. Company check or money order. No cash accepted. Late bids will not be accepted.
Department of Design and Construction
30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2614.

a2

■ AWARDS

Construction / Construction Services

RECONSTRUCTION OF COLLAPSED OR OTHERWISE DEFECTIVE SANITARY, STORM AND COMBINED VITRIFIED CLAY PIPE SEWERS – Competitive Sealed Bids – PIN# 8502008SE0058C – AMT: \$4,584,542.20 – TO: ADC Construction LLC, 58-08 48th Street, Maspeth, New York 11378. PROJECT ID: SEX00201T.

● **MUSEUM OF THE CITY OF NEW YORK MODERNIZATION-PHASE 2 - HVAC WORK** – Competitive Sealed Bids – PIN# 8502008PV0030C – AMT: \$4,948,000.00 – TO: AWL Industries, 460 Morgan Avenue, Brooklyn, New York 11222. PROJECT ID: PV241MOD2.

a2

ECONOMIC DEVELOPMENT CORPORATION

CONTRACTS

■ SOLICITATIONS

Goods & Services

CORRECTION: ADVERTISING SERVICES CONCESSION, MANHATTAN CRUISE TERMINAL RFP – Request for Proposals – PIN# 35660001 – DUE 05-04-09 AT 4:00 P.M. – The City of New York (the “City”), acting through the New York City Department of Small Business Services (“DSBS”), is requesting proposals for a concession for advertising at the Manhattan Cruise Terminal located at Pier 88 and Pier 90 on the West Side of Manhattan in New York City. The Manhattan Cruise Terminal is a first-class cruise ship facility. The City wishes to enhance and fully capitalize on this facility’s popularity.

The concessionaire shall be responsible for the development and implementation of the advertising opportunities at the Manhattan Cruise Terminal. The scope of the advertising services at the Manhattan Cruise Terminal shall include, but not be limited to, developing and advertising marketing plan; conducting the physical design, construction, control, installation, and maintenance of the advertising signage; promoting, soliciting, negotiating and procuring contracts for advertising users; processing and collecting advertising sales revenues; and paying the City a concession fee that includes

a minimum annual guarantee, as further described in the Request For Proposals (“RFP”).

The selected concessionaire will enter into a concession agreement with the City for a term of five (5) years, with one (1) renewal option, at the City’s sole discretion, for another five (5) years. The concession agreement will be terminable at will by the City upon twenty-five (25) days’ notice. The concession agreement shall be administered by the New York City Economic Development Corporation (“NYCEDC”) who shall act as the City’s representative for all purposes with respect to this RFP and the concession agreement.

The concessionaire shall be selected on the basis of factors stated in the RFP which are: the proposed concession fee; the overall experience of proposer and overall quality of proposal; and the marketing strategy and approach to advertising sales revenues.

Additional information on the cruise industry and NYCruise including location map, 2009 NYCruise Schedule, and cruise demographics are located in the attachments to the RFP.

Companies who have been certified with the New York City Small Business Services as Minority and Women Owned Business Enterprises (“M/WBE”) are strongly encouraged to apply. To find out more about M/WBE certification, please call 311 or go to www.nyc.gov/getcertified.

Respondents may submit questions and/or requests for clarifications to NYCEDC no later than 4:00 P.M. on Tuesday, April 14, 2009. Questions regarding the subject matter of this RFP may be asked at the pre-proposal meeting or must be submitted in writing to the Project Manager, Jennifer Wertz, either at the following NYCEDC mailing address: NYCEDC, 110 William Street, 6th Floor, New York, NY 10038, or via e-mail: cruiseadvertisingMCT@nycedc.com. For all questions that do not pertain to the subject matter of this RFP please contact NYCEDC’s Contracts Hotline at (212) 312-3969.

Answers to all questions/requests for clarifications will be available for in-person pick-up from NYCEDC at 110 William Street, 6th Floor, New York, NY (between Fulton Street and John Street) and will be posted, to NYCEDC’s website at www.nycdc.com/RFP by Monday, April 20, 2009. Any proposer may request a printed copy by sending a written request to the Project Manager at the above address.

To download a copy of the solicitation documents please visit www.nycdc.com/RFP. Proposals in response to this RFP are due no later than 4:00 P.M., except as provided for in Section 1-13(j)(2)(i) of the Concession Rules on Monday, May 4, 2009. Proposers shall submit six (6) sets of the proposal (including six sets of all required attachments) and should submit one (1) electronic version of the proposal to: NYCEDC, 110 William Street, 6th Floor, New York, NY 10038, attention: Maryann Catalano, Senior Vice President.

PRE-PROPOSAL MEETING AND SITE TOUR

There will be a pre-proposal meeting and site tour at the Manhattan Cruise Terminal, (entrance located at 711 12th Avenue (55th Street and 12th Avenue), New York, NY 10019), that will be held at 11:00 A.M. on Tuesday, April 7, 2009. The pre-proposal meeting and site tour will start at the main entrance lobby area of Pier 88. If you are considering responding to this RFP, please make every attempt to attend this recommended pre-proposal meeting and site tour.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Economic Development Corp., 110 William Street, 6th Floor New York, NY 10038. Maryann Catalano (212) 312-3969 cruiseadvertisingMCT@nycedc.com

a1-14

EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

■ SOLICITATIONS

Goods & Services

SCANNING AND PROCESSING SD1041 APPLICATION FORM – Competitive Sealed Bids – PIN# B1035040 – DUE 04-29-09 AT 5:00 P.M. – The distribution and review of the SD1041 application and certification of income eligibility for students to receive free/reduced lunches is required by the United States Department of Agriculture (USDA) at the beginning of each school year in order for the Department of Education to receive Federal and State reimbursement. The awarded vendor must be fully ready to provide this service by September 1, 2009 in order to meet the state mandates. The Department of Education is releasing an RFB B1035 for a 5 year requirements contract to acquire services from an experienced company to convert information submitted on SD1041 student meal application forms and through the ACCESS NYC system into electronic information that can be analyzed and stored for future reference. ACCESS NYC is a free web-based screening service for City, State, and Federal human service benefit programs. Such conversion is to be accomplished through a blend of scanning, data entry, verification and meal eligibility determination technologies and procedures to be recommended and performed as an outsourced service by the successful vendor. This scanning software service will be used to process applications from approximately 30% of schools participating in the NYCDOE’s meals program, (approximately 800 schools) which serve approximately 300,000 students. The DOE projects that approximately 260,000 applications will be processed during the 2009-2010 school year and each year thereafter. The bid will be awarded to the lowest responsive and responsible bidder as an Aggregate Class. If you cannot download this BID, please send an e-mail to VendorHotline@schools.nyc.gov with the BID number and title in the subject. For all questions related to this BID, please send an e-mail to Lrodrig@schools.nyc.gov with the BID’s number and title in the subject line of your e-mail.

Bid Opening: Thursday, April 30th, 2009 at 11:00 A.M. There will be a pre-proposal conference on April 7, 2009 at 11:00 A.M., Brooklyn, Borough Hall, 209 Joralemon Street, Brooklyn, NY 11201, Borough Resident Conference Room. Please email Lrodrig@schools.nyc.gov to register for attendance at the pre-bid conference. There is a non-

refundable fee of \$150.00, which is payable by all major credit cards.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Department of Education, 65 Court Street, Room 1201 Brooklyn, NY 11201. Vendor Hotline (718) 935-2300 vendorhotline@schools.nyc.gov

ENVIRONMENTAL PROTECTION

SOLICITATIONS

Construction / Construction Services

WATERMAIN KENSICO CAMPUS TO COMMERCE STREET PUMPING STATION, UPSTATE NEW YORK – Competitive Sealed Bids – PIN# 82609WM00243 – DUE 04-30-09 AT 11:30 A.M. – CAT-210WM 24-Inch Water Main from Kensico Campus to Commerce Street Pumping Station Bids will be received until April 30, 2009 at 11:30 A.M. at which time and place, bids will be publicly opened and read. This contract includes the following major items of work:
 - Install approximately 4,900 feet of a 24-inch water main
 - Install a manhole and relief valve
 - Proper disposal of contaminated soil and ground water that may be encountered during excavation.
 - Traffic control during construction
 A pre-bid meeting will be held at 9:00 A.M. on Thursday, April 16, 2009 at the DEP Office located in The Observatory, 465 Columbus Ave., Valhalla NY, 10595. After the meeting, there will be a site visit which requires security clearance from the DEP Police. Each person interested in attending the site visit must mail or e-mail a completed Pre-Bid Site Access Form to Ms. Jasmin Rivera, jasminr@dep.nyc.gov, to be received by April 14, 2009. Be advised that ONLY approved attendees will be admitted to the facility and attendance will be limited to a maximum of two (2) persons per company. Attendees must present government issued photo identification to gain entry. Expired identification will not be accepted. All attendees should have their own personnel safety equipment (hard hat, boots, etc) to enter to the site area. All attendees will remain with the group and in designated areas during the visit. Wandering around the site is not permitted. Cameras, videos and bags are not permitted on-site. Prospective bidders are encouraged to submit all questions in writing, to Jasmin Rivera, Project Manager, Division of Upstate Water Supply Treatment and Facilities, Bureau of Engineering Design and Construction, Department of Environmental Protection, 96-05 Horace Harding Expressway, 5th Floor, Corona, N. Y. 11373-5107. Documents for this contract may be obtained from the Contract Division at 59-17 Junction Boulevard, 17th Floor, Elmhurst, N.Y. 11373-5107, for a fee of \$100.00 per set to be paid by company check or money order payable to the Department of Environmental Protection. No cash will be accepted. There will be no refund of monies received for, plans and specifications etc, so obtained. This advertisement and the award of the contract are subject to postponement or withdrawal without prior notice. The City is not responsible for cost incurred for the preparation of bids. The contract shall be subjected to Equal Opportunity provisions of City, State and Federal Laws. Be advise that the following bid solicitation for heavy construction includes an Apprenticeship Participation Requirement. Vendor I.D.#: 59046.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Department of Environmental Protection, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373. Greg Hall (718) 595-3236, ghall@dep.nyc.gov

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-3863.

SOLICITATIONS

Goods

RADIO FREQUENCY COOL TIP ELECTRODE – Competitive Sealed Bids – PIN# 111-09-107 – DUE 04-16-09 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Bellevue Hospital Center, 462 First Avenue, Room 12E26, New York, NY 10016. Densil Lett-Rivera (212) 562-5137, densil.lett-rivera@nychhc.org

MATERIALS MANAGEMENT

SOLICITATIONS

Goods & Services

LAUNDRY BAGS – Public Bid – PIN# 0290045 – DUE 04-14-09 AT 2:15 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Health and Hospitals Corporation, 346 Broadway 5th Floor, Room 516, New York, NY 10013. Jeannette Torres (212) 442-3867, jeannette.torres@nychhc.org

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

AWARDS

Services (Other Than Human Services)

GERIATRIC MENTAL HEALTH INITIATIVE – BP/City Council Discretionary – PIN# 09AZ063901ROX00 – AMT: \$100,000.00 – TO: Hudson Guild Counseling, 441 West 26th Street, New York, NY 10001.

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

SOLICITATIONS

Human / Client Service

TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-25-10 AT 10:00 A.M. – The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004. Marta Zmoira (212) 361-0888, mzmaira@dhs.nyc.gov

HOUSING AUTHORITY

SOLICITATIONS

Construction / Construction Services

REPLACEMENT OF STEAM CONTROL ZONE VALVE STATIONS – Competitive Sealed Bids – PIN# HE9000022 – DUE 04-13-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Housing Authority, 90 Church Street, 11th Floor, New York, NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121, gloria.guillo@nycha.nyc.gov

REPLACEMENT OF FIRE ALARM SYSTEM AT PATTERSON HOUSES (CHILDREN CENTER) – Competitive Sealed Bids – PIN# EL8016510 – DUE 04-13-09 AT 10:30 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Housing Authority, 90 Church Street, 11th Floor, New York, NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121, gloria.guillo@nycha.nyc.gov

PURCHASING DIVISION

SOLICITATIONS

Goods

CASTERS AND ACCESSORIES – Competitive Sealed Bids – RFQ #6533 JG – DUE 04-15-09 AT 10:35 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY: http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Joseph Gross (718) 707-5462.

PEST CONTROL ITEMS – Competitive Sealed Bids – RFQ #6511 RS – DUE 04-15-09 AT 10:40 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY: http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Robin Smith (718) 707-5446.

Goods & Services

SOLID STATE BOARDS FOR ELEVATOR – Competitive Sealed Bids – RFQ #6518 RJ – DUE 04-15-09 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY: http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Renato Jedreicich (718) 707-5431.

HOUSING PRESERVATION & DEVELOPMENT

DIVISION OF MAINTENANCE

AWARDS

Construction / Construction Services

EMERGENCY DEMOLITION OF ONE BUILDING – Emergency Purchase – Available only from a single source - PIN# 806099702064 – AMT: \$68,869.00 – TO: Gateway Demolition Corp., 134-22 32nd Avenue, Flushing, NY 11354.

EMERGENCY DEMOLITION OF TWO BUILDINGS – Emergency Purchase – Available only from a single source - PIN# 806099702027 – AMT: \$419,969.00 – TO: Gateway Demolition Corp., 134-22 32nd Avenue, Flushing, NY 11354.

PARKS AND RECREATION

CONTRACT ADMINISTRATION

SOLICITATIONS

Construction / Construction Services

RECONSTRUCTION OF EAST RIVER ACCESS RUTGERS SLIPS, CATHERINE AND MONTGOMERY SLIPS – Competitive Sealed Bids – PIN# 8462009M000C10 – DUE 05-05-09 AT 10:30 A.M. – Manhattan, known as Contract #MG-909M. Vendor Source ID#: 59099.
RECONSTRUCTION OF BALL FIELDS WITH SYNTHETIC TURF – Competitive Sealed Bids – PIN# 8462009Q391C01 – DUE 05-05-09 AT 10:30 A.M. - At Joseph Austin Playground, at the intersection of the Grand Central Parkway, 164th Place and 168th Street, Queens, known as Contract #Q391-108M. Vendor Source ID#: 59098.

These procurements are subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005. These contracts are subject to Apprenticeship program requirements.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Parks and Recreation, Olmsted Center, Room 64 Flushing Meadows Corona Park, Flushing, NY 11368. Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov Olmsted Center, Room 5, Design Conference Room Flushing Meadows-Corona Park, Flushing, NY 11368.

REVENUE AND CONCESSIONS

SOLICITATIONS

Services (Other Than Human Services)

RENOVATION, OPERATION, AND MAINTENANCE OF THREE (3) SNACK BARS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# X39-SBS – DUE 04-13-09 AT 3:00 P.M. – Located at Orchard Beach, Pelham Bay Park, Bronx.
TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) 212-504-4115

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021. Alexander Han (212) 360-1397, alexander.han@parks.nyc.gov

OPERATION OF A MODEL SAILBOAT RENTAL SERVICE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M10-15-SLB – DUE 05-01-09 AT 3:00 P.M. – At Conservatory Waters, Central Park, Manhattan.

Parks will hold a proposer meeting on Friday, April 17, 2009 at 11:00 A.M. at the proposal concession site, which is located adjacent to the Conservatory Waters sailboat pond inside Central Park at about East 74th Street.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) 212-504-4115

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021. Eve Mersfelder (212) 360-3407, eve.mersfelder@parks.nyc.gov

OPERATION AND MAINTENANCE OF A FERRY SERVICE

– Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M5-E-M – DUE 04-30-09 AT 1:00 P.M. – At Gangway Six in Battery Park, Manhattan. Interested proposers are encouraged to attend the on-site proposer meeting and site tour on Monday, April 13, 2009 at 11:00 A.M. We will be meeting at the proposed concession site, which is located at Gangway Six, west of Castle Clinton, off the promenade of Battery Park, Manhattan. We will be meeting inside Battery Park on the promenade, in front of Gangway Six.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD)
212-504-4115.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Parks and Recreation, The Arsenal-Central Park
830 Fifth Avenue, Room 407, New York, NY 10021.
Gabrielle Ohayon (212) 360-1397,
gabrielle.ohayon@parks.nyc.gov*

m27-a9

OPERATION OF THREE (3) BEACH EQUIPMENT RENTAL AND MERCHANDISE CARTS – Competitive Sealed Bids – PIN# X39-CSV – DUE 04-20-09 AT 11:00 A.M. – At Orchard Beach, Pelham Bay Park, Bronx. Parks will hold a recommended bidder meeting on Tuesday, April 14, 2009 at 11:00 A.M. at the concession site, which is located at the Orchard Beach Main Pavilion, Pelham Bay Park, Bronx. All interested parties are urged to attend.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD)
212-504-4115

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Parks and Recreation, The Arsenal-Central Park
830 Fifth Avenue, Room 407, New York, NY 10021.
Alexander Han (212) 360-1397, alexander.han@parks.nyc.gov*

m30-a10

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

EXT. MASONRY/WINDOWS/SAFETY/ELECTRICAL SYS. – Competitive Sealed Bids – PIN# SCA09-12262D-1 – DUE 04-22-09 AT 11:00 A.M. – PS 274 Mini-School (Brooklyn). Project Range: \$3,100,000.00 to \$3,263,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order. Make checks payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Rookmin Singh (718) 752-5843
rsingh@nycsca.org*

a2-8

GYM UPGRADE – Competitive Sealed Bids – PIN# SCA09-12320D-1 – DUE 04-20-09 AT 10:30 A.M. – Project Range: \$1,030,000.00 to \$1,090,000.00. NYC School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Stacia Edwards (718) 752-5849
sedwards@nycsca.org*

m31-a6

ELECTRICAL SYSTEMS – Competitive Sealed Bids – PIN# SCA09-12475D-1 – DUE 04-16-09 AT 11:30 A.M. – PS 112 (Bronx). Project Range: \$1,140,000.00 to \$1,200,000.00.

● **REINFORCING SUPPORT ELEMENTS** – Competitive Sealed Bids – PIN# SCA09-12445D-1 – DUE 04-16-09 AT 2:30 P.M. – Health Professions and Human Services High School (Manhattan). Project Range: \$1,440,000.00 to \$1,520,000.00.

Non-refundable bid documents charge: \$100.00, certified check or money order. Make checks payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Rookmin Singh (718) 752-5843
rsingh@nycsca.org*

m30-a3

FLOORING – Competitive Sealed Bids – PIN# SCA09-12380D-1 – DUE 04-17-09 AT 10:00 A.M. – PS 189 (Brooklyn). Project Range: \$1,960,000.00 to \$2,060,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make checks payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Stephanie Lyle (718) 752-5854,
slyle@nycsca.org*

m31-a6

EXTERIOR MASONRY, PARAPETS AND ROOFS – Competitive Sealed Bids – PIN# SCA09-12220D-1 –

DUE 04-16-09 AT 11:00 A.M. – School of the Future at MD Bacon, Exterior Masonry, Parapets and Roofs. Project Range: \$1,850,000.00 to \$1,950,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Anthony Largie (718) 752-5842,
alargie@nycsca.org*

m27-a2

IP SURVEILLANCE CAMERA – Competitive Sealed Bids – PIN# SCA09-12296D-1 – DUE 04-13-09 AT 12:30 P.M. – Four (4) Various Schools (Staten Island/Brooklyn). Project Range: \$1,250,000.00 to \$1,315,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make checks payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Stephanie Lyle (718) 752-5854,
slyle@nycsca.org*

m30-a3

BUREAU OF CONTRACTS AND SERVICES

■ SOLICITATIONS

Construction / Construction Services

REMOVE AND INSTALL FLOORS – Competitive Sealed Bids – PIN# SCA09-12383D-1 – DUE 04-16-09 AT 3:00 P.M. – PS 273 (Brooklyn). Project Range: \$980,000.00 - \$1,040,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Lily Persaud (718) 752-5852,
lpersaud@nycsca.org*

m30-a3

TRANSPORTATION

ADMINISTRATION

■ INTENT TO AWARD

Services (Other Than Human Services)

WALK21 INTERNATIONAL PEDESTRIAN PLANNING CONFERENCE – Sole Source – Available only from a single source - PIN# 84109MBAD408 – DUE 04-16-09 AT 5:00 P.M. – The New York City Department of Transportation intends to enter into a Sole Source agreement with Access Associates Limited, trading as Walk21, 24 Moorend Road, Cheltenham, Gloucestershire, GL53 0HD, United Kingdom, for the hosting of the tenth international Walk21 international pedestrian planning conference in October 2009 in Manhattan. The agreement will grant the City the right to use the Walk21 trademark in its advertising, to utilize the Walk21 Web site, and to receive technical assistance from Walk21 staff. Walk21 collaborates closely with the local host in conference planning and speaker recruitment, and chairs the Walk21 Program Committee. There is no organization comparable to Walk21 in terms of its unique branding and database of global database of thousands of key or interested professionals in the pedestrian planning field. Any firm which believes that it can also provide these services is invited to so indicate by letter to: Department of Transportation, 40 Worth Street, Room 1228, New York, NY 10013. Vincent Pullo, Agency Chief Contracting Officer, (212) 839-2117, vpullo@dot.nyc.gov

a1-7

CATERING SERVICES ASSOCIATED WITH WALK21 CONFERENCE – Sole Source – Available only from a single source - PIN# 84109MBAD409 – DUE 04-16-09 AT 5:00 P.M. – The New York City Department of Transportation intends to enter into a Sole Source agreement with Aramark Inc., doing business as Top of the Square Catering, 60 Washington Square South, New York, New York 10012, for the provision of catering services in association with the Walk21 Conference, which is to be held in October 2009 at New York University's Helen and Martin Kimmel Center for University Life, in the borough of Manhattan in the City of New York. Of the various hotels and academic Institutions considered, New York University was the only one to meet the Agency's calendar, space, and cost requirements for this event. It is the policy of the Kimmel Center to only allow catering by its own caterer, Top of the Square Catering. Any firm which believes that it can also provide these services within these restrictions is invited to so indicate by letter to: Department of Transportation, 40 Worth Street, Room 1228, New York, NY 10013. Vincent Pullo, Agency Chief Contracting Officer, (212) 839-2117, vpullo@dot.nyc.gov

a1-7

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

“These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: www.nyc.gov/tv” NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

CHIEF MEDICAL EXAMINER

■ PUBLIC HEARINGS

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, April 2, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene, Office of Chief Medical Examiner (OCME) and Amega Scientific Corporation, 617 Stokes Road, Suite 4334, Medford, NJ 08055 to provide Calibration, Qualification and Remedial Maintenance Services for equipment and software. The contract amount shall be \$223,300.00. The contract term shall be from July 1, 2009 to January 31, 2014 with one (1) one-year option to renew from February 1, 2014 to January 31, 2015. PIN# 81610ME0004.

The proposed contractor has been selected as a Sole Source pursuant to Section 3-05 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Office of Chief Medical Examiner, 421 East 26th Street, 10th Floor, Contracts/Purchasing Division, New York, NY 10016, from March 23, 2009 to April 2, 2009, Monday through Friday, excluding Holidays, from 10:00 A.M. to 3:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written request should be sent to Barbara Markowitz, Agency Chief Contracting Officer at the Office of Chief Medical Examiner, 421 East 26th Street, 10th Floor, Contracts/Purchasing Division, New York, NY 10016. If OCME receives no written request to speak within the prescribed time, OCME reserves the right not to conduct the public hearing.

m31-a2

AGENCY RULES

BUILDINGS

■ NOTICE

NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with section 1043 of the Charter and Sections 28-201.2, 28-202.1, and 28-204.2 of the New York City Administrative Code, that the Department of Buildings hereby amends Subchapter B and Section 102-01 of Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York, regarding the classification of violations, establishment of daily and monthly penalties for certain of those violations, and processes for certifying their correction before the Department.

This rule was first published on February 5, 2009 and a public hearing thereon was held on March 10, 2009.

Dated: March 23, 2009 /s/
New York, New York Robert D. LiMandri
Commissioner

Section 1. The entries in section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York relating to BC 3314.4.5 and Administrative Code sec. 26-204.1(a) are amended to read as follows:

Section of Law	Classification	Violation Description
BC 3314.4.5 [& 26-204.1 (a)]	Class 1	Erected, dismantled repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion.
[BC 3314.4.5 & 26-204.1 (a)]	[Class 2]	[Erected, dismantled repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion.]
Section of Law	Classification	Violation Description
BC 3314.4.6 [& 26-204.1 (c)]	Class 1	Use of supported scaffold without a scaffold user certificate.
Section of Law	Classification	Violation Description
[BC 3314.4.6 & 26-204.1 (c)]	[Class 2]	[Use of supported scaffold without a scaffold user certificate.]

Section 2. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding, in numerical order, new entries relating to Administrative Code secs. 28-216.12.1 and 28-216.12.6, to read as follows:

Section of Law	Classification	Violation Description
28-216.12.1	Class 2	Failure to submit required report of inspection of potentially compromised buildings
28-216.12.6	Class 1	Failure to immediately notify Department that building or structure has become potentially compromised

Section 3. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding three new entries relating to BC 3303.4 and Administrative Code sec. 27-1018, following the existing entry relating to such sections, to read as follows:

Section of Law	Classification	Violation Description
BC 3303.4 & 27-1018	Class 1	Failure to maintain adequate housekeeping per section requirements.
BC 3303.4.5 & 27-1018	Class 1	Unsafe storage of materials during construction or demolition.
BC 3303.4.6 & 27-1018	Class 1	Unsafe storage of combustible material and equipment.

Section 4. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding, in numerical order, new entries relating to Administrative Code secs. 28-305.4.4, 28-305.4.6 and 28-305.4.7.3, to read as follows:

Section of Law	Classification	Violation Description
28-305.4.4	Class 2	Failure to submit required report of condition assessment of retaining wall
28-305.4.6	Class 1	Failure to immediately notify Department of unsafe condition observed during condition assessment of retaining wall.
28-305.4.7.3	Class 2	Failure to file an amended condition assessment acceptable to Department indicating correction of unsafe conditions.

Section 5. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding, in numerical order, a new entry relating to BC 3310.9.1, to read as follows:

Section of Law	Classification	Violation Description
BC 3310.9.1	Class 1	No concrete safety manager present at site where at least 2,000 cubic feet of concrete will be poured.

Section 6. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding, in numerical order, entries relating to subdivisions (20) and (21) of Administrative Code sec. 28-110.1, to read as follows:

Section of Law	Classification	Violation Description
28-110.1(20)	Class 1	Failure to provide evidence of workers attending construction & safety course
28-110.1(21)	Class 1	Failure to conduct workers' site-specific safety orientation program per site safety plan.

Section 7. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding, in numerical order, entries relating to BC 3319.8, BC 3319.8.2, BC 3319.8.3, BC 3319.8.4, BC 3319.8.4.2, BC 3319.8.6, BC 3319.8.7 and BC 3319.8.8, to read as follows:

Section of Law	Classification	Violation Description
BC 3319.8	Class 1	Failure to provide erection, jumping, climbing, dismantling plan for tower/climber crane.
BC 3319.8.2	Class 1	Failure to conduct a safety coordination meeting.
BC 3319.8.3	Class 1	Failure to conduct a pre-jump safety meeting.
BC 3319.8.4	Class 1	Failure to notify the

Department prior to pre-jump or safety coordination meeting.

Section of Law	Classification	Violation Description
BC 3319.8.4.2	Class 1	Failure to provide time schedule indicating erection, jumping, climbing or dismantling of crane.

Section of Law	Classification	Violation Description
BC 3319.8.6	Class 1	No meeting log available.

Section of Law	Classification	Violation Description
BC 3319.8.7	Class 1	Failure to file a complete and acceptable tower/climber Installation Report per BC 3319.8.7

Section of Law	Classification	Violation Description
BC 3319.8.8	Class 1	Erection, jumping, climbing, dismantling operations of a tower or climber crane not in accordance with 3319.8.8

Section 8. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding, in numerical order, a new entry relating to Administrative Code sec. 28-105.11, to read as follows:

Section of Law	Classification	Violation Description
28-105.11	Class 2	Failure to post permit for work at premises.

Section 9. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new entry relating to Administrative Code sec. 28-105.12.2, prior to all other entries relating to that provision, and by amending the final entry relating to Administrative Code sec. 28-105.12.2, to read as follows:

Section of Law	Classification	Violation Description
28-105.12.2	Class 1	Work does not conform to approved construction documents and/or approved amendments

Section of Law	Classification	Violation Description
28-105.12.2	Class 1	Outdoor Ad Co sign is contrary [compliance with] to construction documents.

Section 10. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding, in numerical order, a new entry relating to Administrative Code sec. 28-201.1, to read as follows:

Section of Law	Classification	Violation Description
28-201.1	Class 1	Unlawful acts. Failure to comply with commissioner's order

Section 11. The first entry in section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York relating to Administrative Code sec. 28-202.1 and the first entry in such section relating to Administrative Code sec. 28-210.1 are amended to read as follows:

Section of Law	Classification	Violation Description
28-202.1	Class 1	Additional daily penalty for Class 1 violation of 28-210.1 - 1 or 2 family converted to [greater than 4 family] 4 or more families.

Section of Law	Classification	Violation Description
28-210.1	Class 1	Residence altered for occupancy as a dwelling from 1 or 2 families to [greater than 4 families] 4 or more families.

Section 12. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new entry relating to Administrative Code sec. 28-211.1, following the existing entry relating to such section, to read as follows:

Section of Law	Classification	Violation Description
28-211.1	Class 1	Filed a certificate of correction or other related materials containing material false statement(s).

Section 13. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding two entries relating to Administrative Code sec. 28-301.1, following all existing entries relating to such section, to read as follows:

Section of Law	Classification	Violation Description
28-301.1	Class 1	Failure to maintain building in code compliant manner. Lack of required number of means of egress for every floor per BC 1018.1; 27-366.

Section of Law	Classification	Violation Description
28-301.1	Class 2	Failure to maintain building in code compliant manner. Exhaust discharge closer than 10 feet from building openings per RS 13 (2-2.1.4); MC 401.5.2

Section 14. The entries in section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York relating to Administrative Code secs. 28-405.1 and 28-408.1

are amended, and an entry relating to chapter 4 of Title 28 of the Administrative Code is added, to read as follows:

Section of Law	Classification	Violation Description
[28-405.1]	[Class 2]	[Supervision or use of power-operated hoisting machine without a Hoisting Machine Operator's license.]

Section of Law	Classification	Violation Description
28-408.1	[Class 2] Class 1	Performing unlicensed plumbing work without a master plumber license

Section of Law	Classification	Violation Description
Misc. Chapter 4 of Title 28- Unlicensed Activity	Class 1	Illegally engaging in any business or occupation without a required license or other authorization.

Section 15. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new entry relating to BC 3307.3.1 and Administrative Code sec. 27-1021(a), following the existing entry relating to such sections, to read as follows:

Section of Law	Classification	Violation Description
BC 3307.3.1 27-1021(a)	Class 2	Failure to provide sidewalk shed where required.

Section 16. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding, in numerical order, new entries relating to BC 3301.8 and BC 3310.8.2, to read as follows:

Section of Law	Classification	Violation Description
BC 3301.8	Class 1	Failure to promptly notify the Department of an accident at construction/ demolition site

Section of Law	Classification	Violation Description
BC 3310.8.2	Class 1	Site safety manager/ coordinator failed to immediately notify the Department of conditions as required.

Section 17. Section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new entry relating to ZR 22-00, following the existing entry relating to such section, to read as follows:

Section of Law	Classification	Violation Description
ZR 22-00	Class 3	Illegal use in residential district.

Section 18. The provision of section 102-01(j) of Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York relating to Administrative Code sec. 28-303.7 is deleted, as follows:

Section of Law	Classification	Violation Description
[28-303.7]	[Class 2]	[Failure to file complete boiler inspection report.]

Statement of Basis and Purpose of Rule

The amendments to Section 102-01 of the Department's rules derive from a number of sources: (1) new penalties imposed by the City Council since enactment of Local Law 33 of 2007 and Local Law 8 of 2008, the NYC Construction Codes and their completion legislation; (2) Department determinations of modifications required in light of the first several months of enforcement of the new codes; and (3) correction of inadvertent errors. Specific explanations follow:

Section 1. Local Law 24 of 2008, effective July 1, 2008, made permitting or causing someone to erect, repair, maintain, modify, remove or use a supported scaffold without the required training an immediately hazardous or Class 1 violation. Section 1 reflects that change by proposing to delete the Class 2 designation for this infraction from the Buildings Classification Table. It also proposes to delete the reference to Title 26 since it was repealed as part of enactment of the new Construction Codes.

Section 2. Local Law 33 of 2008, effective February 9, 2009, defines a new class of potentially compromised buildings and imposes notification and inspection requirements on owners of such buildings.

Section 3. Local Law 34 of 2008, effective August 12, 2008, made violations of building code sections 3303.4.5 and 3303.4.6, regarding storage of materials during construction or demolition and storage of combustible material and equipment, immediately hazardous or Class 1. That required that the Class 2 designation for violation of BC 3303.4 be supplemented by a Class 1, a proposed change reflected in Section 3. The two new charges are proposed to be included in this section, which addresses the Class 1 conditions regarding the storage of materials and combustible materials at construction and demolition sites.

Section 4. Local Law 37 of 2008, effective February 9, 2009, makes owners of certain retaining walls responsible for periodic assessment and reporting of their conditions. It also requires correction of unsafe conditions identified in the assessment.

Section 5. Local Law 40 of 2008, effective January 1, 2009, requires a concrete safety manager on construction sites where a minimum of 2,000 cubic yards of concrete will be poured. The new charge set forth in Section 5, BC 3310.9.1, is proposed as a means of enforcing the requirement that "a concrete safety manager shall be designated by the concrete contractor at those sites where the concrete portion of the project involves the pouring of a minimum of 2,000 cubic yards of concrete or such lesser amount as the commissioner may determine by rule."

Section 6. Local Law 41 of 2008, effective December 2, 2008, requires an enhanced site safety plan for any project for which Building Code Chapter 33 requires a site safety plan. This plan must include a statement (1) that workers have successfully completed a course in construction safety and (2) that workers have attended a site-specific safety orientation program. Moreover, workers must all be able to show evidence of satisfying the training requirement. The proposed violations reflected in Section 6 will be issued when either

the workers did not attend or where there is no evidence that the workers attended these required courses/ programs.

Section 7. Local Law 46 of 2008, effective December 22, 2008, codifies a number of Department practices put in place after the crane collapse on East 51st Street, Manhattan March 15, 2008. It requires submission to the Department of a plan for the erection, jumping, climbing and dismantling tower or climber cranes and details the items that must be included in such a plan. It further prescribes certain meetings at the site, including a safety coordination and pre-jump safety meetings, specifies the topics of such meetings, and calls for the Department to be notified of them. The law requires an engineer to inspect and certify a tower or climber crane prior to jumping or climbing, imposes new standards during erection, jumping, climbing and dismantling operations, and requires preparation and maintenance of certain schedules and logs.

Section 8. This section's proposal to add as an infraction a violation of §28-105.11 for failing to post a work permit reflects an entry that was not included in the original classification table, but that is necessary because this condition occurs with regularity.

Section 9. The Department proposes to add in Section 9 an additional Classification Level 1 to the pre-existing Classification Level Class 2 and Class 3 for violation of the general requirement of Section 28-105.12.2, failure to conform to construction documents. Upon a review of the classification table by the Inspector Units and other Department safety personnel, it was determined that a Classification 1 level was needed for the most egregious situations/violations of public safety. These include situations where a deviation from the approved plans results in the highest level of risk to workers and the public. In addition, this section clarifies a separate infraction (established for data tracking purposes) for violation of Section 28-105.12.2 by an outdoor advertising company.

Section 10. This section reflects the Department's determination that a Class 1 violation is needed for those

situations where a failure to comply with a Commissioner's order in violation of Administrative Code section 28-201.1 poses a risk to public safety.

Section 11. This section is intended to correct an error in the description of violations for Administrative Code §28.202.1 and §28-210.1. According to §28-201.2.1, "A violation of section §28-210.1 in which a building legally approved for occupancy as a one family or two-family dwelling (as set forth in the certificate of occupancy or if no certificate of occupancy is required, as evidenced by official records) is illegally converted to or maintained as a dwelling for occupancy by four or more families" (emphasis added) is an Immediately Hazardous or Class 1 violation. Section 11 corrects the language in the original rule that inadvertently characterized the infraction as altering a dwelling for 1 or 2 families to "greater than 4 families," properly including four family dwellings in this charge.

Section 12. The Department proposes to add a new Class 1 violation of Administrative Code section 28-211.1 to distinguish the filing of false documents associated with an ECB certificate of correction from other types of false documents filed with the Department, such as plan and permit applications and cyclical inspection filings. The Department audits certificates of correction separately from plans and permit applications, and accordingly maintains separate sets of figures for false filings related to those documents.

Section 13. This section's proposal to add violations of Administrative Code §28-301.1 for failing to provide the required number of means of egress for every floor and for improperly locating an exhaust discharge reflects entries that were not included in the original classification table, but that are necessary because these conditions occur with regularity.

Section 14. This section makes corrections to certain licensing infractions by eliminating license-specific infractions in favor of a general description of unlicensed or

unauthorized activity. It is simpler and more efficient for the Department to enforce its licensure requirements by means of a single, general violation. This section also eliminates the Class 2 option for unlicensed plumbing work.

Section 15. This section provides for a Class 2 designation for "Failure to provide a sidewalk shed where required", an option that the Department has determined is needed for those situations where the risk to public safety is less than a Class 1.

Section 16. This section reflects the Department's determination that two new charges are needed to enforce BC Section 3301.8 and BC Section 3310.8.2. Section 3301.8 requires that "[t]he department shall be notified promptly, in accordance with the circumstances, of all accidents at construction or demolition sites." Section 3310.8.2 sets forth certain conditions for which, during the routine performance of his/her job, the Site Safety Manager and/or Coordinator must immediately notify the Department. These conditions include unsafe or unlicensed crane operations and accidents involving the public, or private or public property.

Section 17. Section 17 is directed to the enforcement of restrictions set forth in the Zoning Resolution on parking by commercial vehicles in residential zoning districts. Currently, such restrictions are enforced under ZR 22-00, a general provision regarding illegal uses in residential districts, and under ZR 25-41, a more specific parking provision. Both provisions are often cited for the same type of violation. However, the general charge carries only a Class 2 designation, while the more specific charge carries both a Class 2 and a Class 3 designation, making it possible for respondents with the same violation to be charged and assessed disparate penalties. Adding a Class 3 designation for the general charge removes this potential inconsistency.

Section 18. This section reflects the Department's determination to delete as unnecessary the infraction code for failure to file a complete boiler inspection report.

ENVIRONMENTAL CONTROL BOARD

NOTICE

Notice of Adoption of Rules

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by Section 1404(c)(3) of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on July 25, 2008, and a Public Hearing was held on August 25, 2008.

Section 1. The Buildings Penalty Schedule found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended to add a new entry within Buildings Penalty Schedule II (which becomes effective July 1, 2008). That new entry will be added immediately following the entry in that Buildings Penalty Schedule II for BC 3301.2 & 27-1009(a), "Failure to institute/ maintain safety equipment measures or temporary construction - No handrails."

New matter is underlined.

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row for BC 3301.2 & 27-1009(a).

Section 2. The Buildings Penalty Schedule found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended to add one new entry within Buildings Penalty Schedule II (which becomes effective July 1, 2008). That new entry will be added immediately following the entry in that Buildings Penalty Schedule II for BC 3310.5 & 27-1009(d), "Failure to have Site Safety Manager or Coordinator present as required."

New matter is underlined.

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row for BC 3310.5 & 27-1009(d).

Section 3. The Buildings Penalty Schedule found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended to add one new entry within Buildings Penalty Schedule II (which becomes effective July 1, 2008). That new entry will be added immediately following the entry in that Buildings Penalty Schedule II for Section 28-105.1 "Outdoor Ad Co sign on display structure without a permit."

New matter is underlined.

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row for 28-105.1.

Section 4. The Buildings Penalty Schedule found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended. Specifically, the entry in that penalty schedule for BC 1016.2, "Failure to maintain building in code-compliant manner: provide required corridor width per BC 1016.2; 27-369," as follows:

New matter is underlined.

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row for BC 1016.2.

Section 5. The Buildings Penalty Schedule found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended. Specifically, the entry in that penalty schedule for BC 3010.1 & 27-1006, "Failure to promptly report an elevator accident involving personal injury requiring the services of a physician or damage to property," as follows:

New matter is underlined.

Deleted material is in [brackets].

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row for BC 3010.1 & 27-1006.

Section 6. The Buildings Penalty Schedule found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended. Specifically, the entry in that

penalty schedule for Section 28-210.1, Class 1, "Residence altered for occupancy as a dwelling from 1 or 2 families to greater than 4 families," as follows:

New matter is underlined. Deleted material is in [brackets].

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row for 28-210.1.

Section 7. The Buildings Penalty Schedule found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended. Specifically, the entry in that penalty schedule for Section 28-202.1, Class 1, "Additional daily penalty for Class 1 violation of 28-210.1 - 1 or 2 family converted to greater than 4 family," as follows:

New matter is underlined. Deleted material is in [brackets].

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row for 28-202.1.

Statement of Basis and Purpose of Final Rule

The Environmental Control Board (ECB) had a Public Hearing on August 25, 2008 on proposed revisions of its Buildings Penalty Schedule II. Neither written material nor testimony was presented at the Public Hearing on the proposed revisions to the ECB's Penalty Schedules as set forth above.

1) The Environmental Control Board has added two new charges to Buildings Penalty Schedule II, found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York, to enforce the notification provisions of the New York City Construction Codes, and specifically, to enforce the provisions of Chapter 33 of the new Building Code.

The two new charges are to enforce Building Code (BC) Section 3301.8 and Building Code Section 3310.8.2. Section 3301.8 requires that "[t]he department shall be notified promptly, in accordance with the circumstances, of all accidents at construction or demolition sites." Section 3310.8.2 outlines certain conditions for which, during the routine performance of his/her job, the Site Safety Manager and/or Coordinator must immediately notify the department. These conditions include unsafe or unlicensed crane operations and accidents involving the public, or private or public property. The addition of these two new charges to the Buildings Penalty Schedule II will assist in ensuring that the construction industry promptly reports conditions, incidents or accidents that affect the safety of the public and/or construction personnel.

The Buildings Department has amended Section 100-21 of Subchapter B of Title 1 of the Rules of the City of New York in order to include the same charge descriptions and classification levels for Sections 3301.8 and 3310.8.2, although without including the penalties themselves. The reason for this replication in DOB's Rule of these portions of Buildings Penalty Schedule II is that the Department of Buildings is mandated by Title 28 to set forth in a rule the classification level for every charge. Specifically, as mandated by Section 28-201.2 of the NYC Administrative Code, the Department of Buildings must indicate in its rules whether a charge has a classification level of "lesser" (Class 3), "major" (Class 2), or "immediately hazardous" (Class 1).

2) The Environmental Control Board also added another new charge to Buildings Penalty Schedule II, found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York, to enforce a provision of Title 28 of the New York City Administrative Code. The charge is for a Class 1 ("Immediately Hazardous") violation of Section 28-105.12.2, "Work does not conform to approved construction documents and/or approved amendments." The reason for adding this Class 1 charge is to enforce against work being conducted which does not conform to approved construction documents (such as plans) or amendments to these documents. The existing Buildings Penalty Schedule II only includes Class 2 and Class 3 Severity Level Classifications for this charge. The addition of a Class 1 (Immediately Hazardous) option will allow the Department of Buildings to write NOV's for the most hazardous violations as Class 1 violations.

The Buildings Department has amended Section 100-21 of Subchapter B of Title 1 of the Rules of the City of New York to include the same charge description and classification level for Section 28-105.12.2. As stated above, the reason for the replication in DOB's Rule of that portion of ECB's Buildings Penalty Schedule II is that the Department of Buildings is mandated by Title 28 to set forth in a Rule the classification level for every charge. Specifically, as mandated by Section 28-201.2 of the NYC Administrative Code, the Department of Buildings must indicate in its rules whether a charge has a classification level of "lesser" (Class 3), "major" (Class 2), or "immediately hazardous" (Class 1).

3) The Environmental Control Board has revised four charges in Buildings Penalty Schedule II found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York. (a) The first revision is to the charge for Section BC 1016.2, in order to add a "yes" in the "Cure" column, which was inadvertently omitted when the Penalty Schedule II was first promulgated; (b) The second revision is to the charge for BC 3010.1 & 27-1006, Class 1 charge, to correct the Aggravated II maximum default penalty, from \$10,000 to \$25,000. This higher penalty is the statutory maximum penalty, and is consistent with the maximum Aggravated II default penalty that is imposed for all Class I charges in the Buildings Penalty Schedule II.

The change corrects a ministerial error in the original promulgation of that Penalty Schedule; (c) The third revision is to the charge for Section 28-210.1, Class 1, to amend the description for that charge to now read "Residence altered for occupancy as a dwelling from 1 or 2 families to 4 or more families." This amended text will better reflect the text of the statute regarding a Class 1 illegal conversion; (d) The fourth revision is to the charge for Section 28-202.1, Class 1, to amend the description for that charge to now read "Additional daily penalty for Class 1 violation of 28-210.1 - 1 or 2 families converted to 4 or more families." This amended text will better reflect the text of the statute regarding daily penalties for Class 1 illegal conversions. The Buildings Department has amended Section 100-21 of Subchapter B of Title 1 of the Rules of the City of New York to make the same revisions to the charge descriptions for Sections 28-210.1 and 28-202.1, as are described in (c) and (d) above.

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Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by Section 1049-a of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board hereby promulgates the following rule. The rule was published in The City Record on October 7, 2008.

Section 1. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add a new entry within Buildings Penalty Schedule II. This new entry will be added immediately following the entry in Buildings Schedule II for BC 3303.3 & 27-1020, "Failure to post D.O.T. permit for street/sidewalk closing."

New material is underlined.

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: BC 3303.4 & 27-1018, Class 1, Failure to maintain adequate housekeeping per section requirements, No, No, \$2,400, No, \$12,000, \$6,000, \$24,000, \$12,000, \$25,000.

Section 2. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add two new entries within Buildings Penalty Schedule II. These new entries will be added immediately following the entry in Buildings Penalty Schedule II for BC 3303.4 & 27-1018, Class 2, "Failure to maintain adequate housekeeping per section requirements," as follows:

New matter is underlined.

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: BC 3303.4.5 & 27-1018, Class 1, Unsafe storage of materials during construction or demolition, No, No, \$2,400, No, \$12,000, \$6,000, \$24,000, \$12,000, \$25,000. Row 2: BC 3303.4.6 & 27-1018, Class 1, Unsafe storage of combustible material and equipment, No, No, \$2,400, No, \$12,000, \$6,000, \$24,000, \$12,000, \$25,000.

Section 3. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II. This new entry will be added immediately following the entry in Buildings Penalty Schedule II for BC 3307.3.1 & 27-1021(a), Class 1, "Failure to provide sidewalk shed where required," as follows:

New matter is underlined.

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: BC 3307.3.1 & 27-1021(a), Class 2, Failure to provide sidewalk shed where required, No, No, \$2,400, No, \$10,000, \$8,000, \$10,000, \$10,000, \$10,000.

Section 4. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II. This new entry will be added immediately following the entry in Buildings Penalty Schedule II for BC 3310.5 & 27-1009(d), "Failure to have Site Safety Manager or Coordinator present as required," as follows:

New material is underlined.

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: BC 3310.9.1, Class 1, No Concrete Safety manager present during all concrete operations as required, No, No, \$2,400, Yes, \$12,000, \$6,000, \$24,000, \$12,000, \$25,000.

Section 5. The entry in Buildings Penalty Schedule II, BC 3314.4.6 & 26-204.1 (c), Class 1, "Use of supported scaffold without a scaffold user certificate," set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to read as follows:

New material is underlined.

Deleted material is in [brackets].

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: BC 3314.4.6 & 26-204.1 (c), Class 1, Use of supported scaffold without a scaffold user certificate, No, No, \$1,600, No, \$8,000, \$4,000, \$16,000, \$8,000, \$25,000.

Section 6. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended by deleting the entry in Buildings Penalty Schedule II, BC 3314.4.6 & 26-204.1 (c), Class 2, "Use of supported scaffold without a scaffold user certificate," as follows:

Deleted material is in [brackets].

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: BC 3314.4.6 & 26-204.1 (c), [Class 2], [Use of supported scaffold without a scaffold user certificate.], [Yes], [No], [\$800], [Yes], [\$4,000], [\$2,000], [\$8,000], [\$4,000], [\$10,000].

Section 7. The entry in Buildings Penalty Schedule II, BC 3314.4.5 & 26-204.1(a), Class 1, "Erected, dismantled, repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion," set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended as follows:

New material is underlined.

Deleted material is in [brackets].

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: BC 3314.4.5, Class 1, Erected, dismantled repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion, No, No, \$2,400, No, \$12,000, \$6,000, \$24,000, \$12,000, \$25,000. Row 2: [BC 3314.4.5 & 26-204.1 (a)], repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion.

Section 8. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended by deleting the entry in

Buildings Penalty Schedule II, BC 3314.4.5 & 26-204.1(a), Class 2, "Erected, dismantled repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion," as follows:

Deleted material is in [brackets].

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: [BC 3314.4.5 & 26-204.1 (a)], [Class 2], [Erected, dismantled repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion.], [No], [No], [\$1,200], [No], [\$6,000], [\$3,000], [\$10,000], [\$6,000], [\$10,000].

Section 9. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following all entries for Section 28-105.1 "Outdoor Ad Co sign on display structure without a permit," as follows:

New Matter is underlined.

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: [28-105.1], [Class 2], [Failure to post permit for work at premises], [Yes], [Yes], [\$600], [Yes], [\$4,000], [\$2,000], [\$8,000], [\$4,000], [\$10,000].

Section 10. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add two new entries within Buildings Penalty Schedule II immediately following the entry for 28-105.12.2. "Outdoor Ad Co sign is contrary compliance with construction documents," as follows:

New matter is underlined.

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: [28-110.1], [Class 1], [Failure to provide evidence of workers attending construction & safety course], [No], [No], [\$1,200], [No], [\$6,000], [\$3,000], [\$12,000], [\$6,000], [\$25,000]. Row 2: [28-110.1], [Class 1], [Failure to conduct workers' site-specific safety orientation program per site safety plan], [No], [No], [\$1,200], [No], [\$6,000], [\$3,000], [\$12,000], [\$6,000], [\$25,000].

Section 11. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following the entry for 28-118.3.2, "Occupancy contrary to that allowed by the Certificate of Occupancy or Building Department records," as follows:

New matter is underlined.

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: [28-201.1], [Class 1], [Unlawful Acts, Failure to comply with an order of the Commissioner], [No], [No], [\$2,400], [No], [\$12,000], [\$6,000], [\$24,000], [\$12,000], [\$25,000].

Section 12. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following the entry for 28-211.1, "Filed a certificate, form, application etc., containing a material false statement(s)," as follows:

New matter is underlined.

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: [28-211.1], [Class 1], [Filed a certificate of correction or other related materials containing material false statement(s).], [No], [No], [\$4,800], [No], [\$24,000], [\$12,000], [\$25,000], [\$24,000], [\$25,000].

Section 13. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following the entry for 28-301.1, "Failure to maintain building in code-compliant manner: Improper exit/exit access doorway arrangement per BC 1014.2;27-361," as follows:

New matter is underlined.

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: [28-301.1], [Class 1], [Failure to maintain building in a code compliant manner. Failure to provide number of required means of egress for every floor per BC 1018.1 & 27-366.], [No], [No], [\$1,200], [No], [\$6,000], [\$3,000], [\$12,000], [\$6,000], [\$25,000].

Section 14. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following the entry for 28-301.1, "Failure to maintain building in code-compliant manner: Plumbing fixture(s) not trapped and/or vented per PC 916.1 & PC 1002.1; 27-901(o)," as follows:

New matter is underlined.

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: [28-301.1], [Class 2], [Failure to maintain building in a code compliant manner. Exhaust discharge must be no closer than 10 feet from building openings as per RS 2-2.1.4 & MC 401.5.2], [Yes], [No], [\$600], [Yes], [\$4,000], [\$2,000], [\$8,000], [\$4,000], [\$10,000].

Section 15. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended by deleting the entry in Buildings Penalty Schedule II for 28-405.1, Class 2, "Supervision or use of power-operated hoisting machine without a Hoisting Machine Operator's license," as follows:

Deleted material in [brackets].

Table with 13 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Penalty, Aggravated III Penalty, Aggravated IV Penalty, Aggravated V Penalty. Row 1: [28-405.1], [Class 2], [Supervision or use of power-operated hoisting machine], [No], [No], [\$800], [Yes], [\$4,000], [\$2,000], [\$6,000], [\$4,000], [\$10,000]. Row 2: without a Hoisting Machine Operator's License.

Section 16. The entry in Buildings Penalty Schedule II for 28-408.1, Class 2, "Performing unlicensed plumbing work without a master plumber license," set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to read as follows:

Deleted material in [brackets].
New matter is underlined.

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
§28-408.1	[Class 2] <u>Class 1</u>	Performing unlicensed plumbing work without a master plumber license.	No	No	(\$500) \$1,000	[Yes] No	(\$2,500) \$5,000	(\$1,250) \$2,500	(\$5,000) \$10,000	(\$2,500) \$5,000	(\$10,000) \$25,000

Section 17. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following the entry for 28-401.1, "Performing unlicensed plumbing work without a master plumber license," as follows:

New matter is underlined

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
Misc.	<u>Class 1</u>	<u>illegally engaging in</u>	No	No	\$1,000	No	\$5,000	\$2,500	\$10,000	\$5,000	\$25,000
Chapter 4 of Title 28, Unlicensed Activity		<u>any business or occupation without a required license or other authorization.</u>									

Section 18. Buildings Penalty Schedule II, set forth in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following the entry for ZR 22-00, Class 2, "Illegal use in residential district," as follows:

New matter is underlined

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
ZR 22-00	<u>Class 3</u>	<u>illegal use in residential district</u>	Yes	Yes	\$300	No	\$500	\$500	\$500	\$500	\$500

Statement of Basis and Purpose of Final Rule

The Environmental Control Board had a Public Hearing on November 6, 2008 on proposed rule revisions to its Buildings Penalty Schedule. Neither written material nor testimony was presented at the Public Hearing on the proposed rule revisions to the ECB's Penalty Schedule as set forth above.

As described below, the Environmental Control Board has added various amendments and additions to charges in Buildings Penalty Schedule II, found in Title 48 of the Rules of the City of New York (RCNY). Buildings Penalty Schedule II is found in Title 48 in view of the fact that as of November 23, 2008, ECB has been consolidated with the Office of Administrative Trials and Hearings (OATH) by virtue of the enactment of Local Law 35 of 2008. Title 48 of the RCNY includes OATH's rules. Accordingly, this final rule, which amends Buildings Penalty Schedule II, amends Buildings Penalty Schedule II as found within Chapter 3 of Title 48.

It should be noted that with regard to all new and amended violations in this rule, the classifications (but not the penalties) are established by the Department of Buildings by a separate rule of that Department. This is because, pursuant to section 28-201.2 of the NYC Administrative Code, the Commissioner of the Department of Buildings is required to promulgate rules classifying all violations enforced by the Department as Immediately Hazardous (Class 1), or as Major (Class 2), or as Lesser (Class 3). Those violation classifications are then incorporated into ECB's Penalty Schedules.

Housekeeping Violations: The Board has added three additional charges for violations of Building Code section 3303.4, to Buildings Penalty Schedule II. Section 3303.4 pertains to "housekeeping" at construction sites. This is in view of the enactment of Local Law 34 of 2008, which took effect on August 12, 2008. That law amended Section 28-201.2.1 of the NYC Administrative Code so as to classify violations of subsections 3303.4.5 and 3303.4.6 as "Immediately Hazardous" (Class 1). Therefore, the Board has added a charging provisions for those subsections. In addition, the Board has added a new Class 1 general housekeeping violation (not specific to a particular subsection), which will be in addition to the already existing general Class 2 violation.

Concrete Safety Managers: The Board has added a Class 1 charge for a violation of Building Code Section 3310.9.1, "No Concrete Safety Manager present during all concrete operations as required," to Buildings Penalty Schedule II. This is in view of the enactment of Local Law 40 of 2008, which takes effect on January 1, 2009. That Local Law adds a new section, BC 3310.9, to the Building Code, requiring additional personnel to oversee concrete operations at major buildings under construction, and requiring a Concrete Safety Manager on construction sites where a minimum of 2,000 cubic yards of concrete is to be poured. Accordingly, the Board has added a new charge to implement this new provision of law. Local Law 40 takes effect on January 1, 2009.

Supported scaffolds: The Board has deleted the Class 2 charges for Building Code sections 3314.4.5 and 3314.4.6, both of which pertain to supported-scaffolds, from Buildings Penalty Schedule II. This is in view of the enactment of Local Law 24 of 2008, which took effect on July 1, 2008. That law amended Section 28-201.2.1 so as to require that all violations of sections 3314.4.5 and 3314.4.6 be classified as Class 1 (Immediately Hazardous). Accordingly, the Board has deleted the Class 2 charges for those sections. Additionally, the Board has amended the two remaining (Class 1) charges for Sections 3314.4.5 and 3314.4.6 so as to delete the additional Section numbers, 26-204.1(a) and 26-204(c), that are also listed in those charges. The reason the Board has deleted the references to Sections 26-204.1(a) and 26-204(c) is that the references to those sections were included in error in the initial promulgation of Buildings Penalty Schedule II.

Site safety: The Board has added two new charges to Buildings Penalty Schedule II for violations of Administrative Code section 28-110.1, namely, "Failure to provide evidence of workers attending construction & safety course," and "Failure to conduct workers' site-specific safety orientation program per site safety plan." This is in view of the enactment of Local Law 41 of 2008, which takes effect on December 2, 2008. That law amends Section 28-110.1 to add two new provisions that require that workers complete site safety courses, and that require Site Safety Plans to include mandatory site-specific Safety Orientation Programs. Accordingly, the Board has added two new charges to implement these new provisions of Section 28-110.1 Local Law 41 takes effect on December 2, 2008.

Unlicensed activity: The Board has deleted the Class 2 level charge for Administrative Code section 28-405.1, "Supervision or use of power-operated hoisting machine without a Hoisting Machine Operator's license," from Buildings Penalty Schedule II. There is already a Class 1 charge for that violation in the Penalty Schedule. The Board has amended the charge for Administrative Code section 28-408.1, "Performing unlicensed plumbing work without a master plumbing license," from a Class 2 charge to a Class 1 charge. The Board has also added a new Class 1 miscellaneous charge, "illegally engaging in any business or occupation without a required license or other authorization," for Chapter 4 of Title 28 of the Administrative Code. The Board has proposed these various amendments and additions to Buildings Penalty Schedule II in view of the enactment of Local Law 08 of 2008, which took effect on July 1, 2008. That law amended Administrative Code section 28-201.2.1 to require that a violation be classified as Class 1 where the violation is of any provision of Chapter 4 of Title 28 of the Administrative Code, for engaging in any business or occupation without a required license or other authorization.

Sidewalk sheds: The Board has added a new Class 2 charge for a violation of Building Code section 3307.3.1 & Administrative Code section 27-1021(a), "Failure to provide sidewalk shed where required." There is already a Class 1 charge for this section. The Board has added a Class 2 classification in view of the fact that a Class 2 severity level may be warranted under some circumstances.

Failure to post permit for work at premises: The Board has added a charge for a violation of Administrative Code section 28-105.11, for failure to post permit for work at premises, to enable effective enforcement of this section of law.

Required Means of egress; Location of exhaust discharge: The Board has added two new charges for failure-to-maintain in violation of Administrative Code section 28-301.1: (1) respondent failed to provide the required number of means of egress for every floor, and (2) respondent improperly located an exhaust discharge. These charges have been added to enable effective enforcement with regard to these conditions.

Zoning Resolution 22-00: The Board has added a new Class 3 charge for illegal use in a residential district in violation of section 22-00 of the Zoning Resolution. This charge has been added in view of the fact that there is already a Class 3 charge in Buildings Penalty Schedule II for violations of ZR 25-41, which pertains to parking restrictions, and in view of the fact that ZR 22-00 is also at times cited in connection with violations pertaining to parking restrictions.

Material false statements in Certificate of Correction: The Board has added a new charge for filing a false certificate of correction pursuant to Administrative Code section 28-211.1, which makes it a violation to make a material false statement in various documents, including certificates of corrections. Buildings Penalty Schedule II already contains a general charge under section 28.211.1; however, the Board has added this more specific charge, due to the frequency of issuance of violations in connection with certificates of correction, in particular.

Failure to comply with an order of the Commissioner: The Board has added a new charge for failing to comply with an order of the Commissioner of the Department of Buildings in violation of Administrative Code section 28-201.1. Buildings Penalty Schedule II already includes a charge for failure to comply with a Stop Work Order, and a charge for not filing a certificate of correction. However, this newly added charge will enable enforcement in connection with all other instances of failure to comply with a Commissioner's order.

SPECIAL MATERIALS

COMPTROLLER

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., RM 629, New York, NY 10007 on April 28, 2009, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
3	3491	19
3A	3491	19
4	3491	20
5	3491	41
6	3491	81

Acquired in the proceeding, entitled: SOUTH BEACH BLUEBELT, PHASE 1 subject to any liens and encumbrances

of record on such property. The amount advanced shall cease to bear interest on the specified date above.

William C. Thompson, Jr.
Comptroller

a1-10

HOUSING PRESERVATION & DEVELOPMENT

■ NOTICE

**OFFICE OF PRESERVATION SERVICES
CERTIFICATION OF NO HARASSMENT UNIT**

**REQUEST FOR COMMENT ON APPLICATION FOR
CERTIFICATION OF NO HARASSMENT PURSUANT
TO LOCAL LAW 19 OF 1983**

DATE OF NOTICE: March 27, 2009

TO: **OCCUPANTS, FORMER OCCUPANTS AND
OTHER INTERESTED PARTIES OF**

Address	Application #	Inquiry Period
3 Hamilton Terrace, Manhattan	19/09	March 3, 2006 to Present
255 West 21st Street, Manhattan	20/09	March 3, 2006 to Present
256 West 97th Street, Manhattan a/k/a 256-258 West 97th Street	21/09	March 12, 2006 to Present
2651 Broadway, Manhattan a/k/a 230 West 101st Street	22/09	March 12, 2006 to Present
875 Park Avenue, Manhattan	23/09	March 13, 2006 to Present

The Department of Housing Preservation and Development has received an application for a certification that during the inquiry period noted for the premises above, that no harassment has occurred at such premises in the form of threats, use of physical force, deprivation of essential services such as heat, water, gas or electric, or by any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy. Upon the issuance of a

Certification, an owner can legally convert the premises to non-single room occupancy use.

Comments as to whether harassment has occurred at the premises should be submitted to the Anti-Harassment Unit, 100 Gold Street, 3rd Floor, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement call (212) 863-8272.

m27-a6

POLICE

■ NOTICE

The New York City Police Department (NYPD) is currently accepting applications for permits for the 2009 Arterial Tow Program selection process. Applications are available and may be picked up from May 4, 2009 to May 18, 2009 between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday, at 315 Hudson Street, 3rd Floor, New York, NY 10013. Or you may download applications by visiting the City Record Website <http://a856-internet.nyc.gov/nycvendoronline/VendorShort/asp/VendorMenu.asp> and follow the links to NYPD solicitations. Note: The applications will not be available for download until May 4, 2009. Completed applications will be accepted from July 6, 2009 to July 10, 2009 between the hours of 9:00 A.M. and 5:00 P.M. at 315 Hudson Street, 3rd Floor, New York, NY 10013. Completed applications are due no later than July 10, 2009 at 5:00 P.M. Any inquiries regarding this solicitation must be directed to Mr. Frank Bello, Agency Chief Contracting Officer, NYPD Contract Administration Unit, via email at frank.bello@nypd.org or via fax at (646) 610-5129 on or before May 18, 2009.

a1-m18

CHANGES IN PERSONNEL

HRA/DEPT OF SOCIAL SERVICES FOR PERIOD ENDING 02/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for HRA/DEPT OF SOCIAL SERVICES.

DEPT. OF HOMELESS SERVICES FOR PERIOD ENDING 02/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for DEPT. OF HOMELESS SERVICES.

DEPARTMENT OF CORRECTION FOR PERIOD ENDING 02/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for DEPARTMENT OF CORRECTION.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for DEPARTMENT OF EMPLOYMENT.

DEPARTMENT OF EMPLOYMENT FOR PERIOD ENDING 02/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for DEPARTMENT OF EMPLOYMENT.

PUBLIC ADVOCATE FOR PERIOD ENDING 02/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for PUBLIC ADVOCATE.

CITY COUNCIL FOR PERIOD ENDING 02/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for CITY COUNCIL.

DEPARTMENT FOR THE AGING FOR PERIOD ENDING 02/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for DEPARTMENT FOR THE AGING.

CULTURAL AFFAIRS FOR PERIOD ENDING 02/20/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for CULTURAL AFFAIRS.

Table with multiple columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. It lists various employees across different departments like FINANCIAL INFO SVCS AGENCY, DEPARTMENT OF JUVENILE JUSTICE, OFF OF PAYROLL ADMINISTRATION, CIVIL SERVICE COMMISSION, LANDMARKS PRESERVATION COMM, TAXI & LIMOUSINE COMMISSION, PUBLIC SERVICE CORPS, SUN, WELLINGT, WILSON, ESSENCE, ZOLLINGER, DANIELLE, OFFICE OF LABOR RELATIONS, DEPT OF YOUTH & COMM DEV SRVS, QUEENS COMMUNITY BOARD #2, QUEENS COMMUNITY BOARD #9, and COMMUNITY COLLEGE (BRONX).

LATE NOTICES

DESIGN COMMISSION

MEETING

**Design Commission Meeting Agenda
Monday, April 6, 2009**

Public Meeting

3:45 p.m. Consent Items

- 23478: Installation of prototypical signage and book drop, Seaside Community Library, 116-115 Rockaway Beach Boulevard, Queens. (Preliminary and Final) (CC 32, CB 14) QL
- 23479: Rehabilitation of two structures and construction of a two-story addition and adjacent site work, Pier 92 and Pier 94, Route 9A from West 52nd Street to West 55th Street at the Hudson River, Manhattan. (Preliminary) (CC 3, CB 4) EDC
- 23480: Design of a prototypical bicycle rack, CityRacks Competition, for installation citywide. (Final) DOT
- 23481: Reconstruction of Chatham Square and installation of streetscape improvements, including the construction of ramp access to One Police Plaza, as Phase II of the reconstruction of Park Row and Chatham Square, Frankfort Street to Catherine Street, Manhattan. (Preliminary) (CC 1, CB 1 & 3) DDC/DOT/EDC/DPR
- 23482: Reconstruction of the perimeter landscape for improved site drainage as Phase IB of the Staten Island Zoo Master Plan, Staten Island Zoo, 614 Broadway, Staten Island. (Final) (CC 49, CB 1) DDC/DCuA/DPR
- 23483: Construction of a horticultural storage facility, reconstruction of a head house and adjacent site work, near the Snuff Mill, New York Botanical Garden, Bronx. (Preliminary and Final) (CC 11, CB 7) DCuA/DPR
- 23484: Installation of campus-wide signage, including donor signage on the New York State Theater, Lincoln Center for the Performing Arts, Manhattan. (Preliminary) (CC 6, CB 7) DCuA/DPR/DOT
- 23485: Reconstruction of a pedestrian bridge, including the installation of fencing and lighting, spanning the East River from East 103rd Street and the FDR Drive to Wards Island, Manhattan. (Preliminary) (CC 8, CB 11) DOT/DPR
- 23487: Reconstruction of Eastern Parkway, including the installation of M-Poles with teardrop luminaires and B-Poles with Riverside luminaires, Washington Avenue to Plaza Street East, Brooklyn. (Preliminary) (CC 35, CB 8) DDC/DPR/DOT

- 22769: Reconstruction of a playground, as Phase I of the reconstruction of Weeping Beech Park Bowne Street and 37th Avenue, Queens. (Preliminary) (CC 20, CB 7) DPR
- 23488: Reconstruction of Far Rockaway Park, Phase I and Phase II, including the construction of a comfort station, a covered stage and two shade structures, Rockaway Beach between Beach 9th Street and Beach 32nd Street, Queens. (Preliminary) (CC 31, CB 14) DPR
- 23489: Construction of a park, including the rehabilitation of and addition to the Victory Diner for use as a concession, construction of a shade structure and adjacent site work, Phase II, Midland Beach, Father Capodanno Boulevard between Slater Boulevard and Seaview Avenue, Staten Island. (Preliminary) (CC 50, CB 2) DPR
- 23490: Reconstruction of Riverside Park north of West 135th Street, Fort Washington Park, and Inwood Hill Park west of the Amtrak rail lines, Phase IA, including the construction of a comfort station and the rehabilitation of the Ten Mile River House and an existing comfort station, West 145th Street to 180th Street, Manhattan. (Preliminary) (CC 7, CB 9 & 12) DPR
- 23491: Reconstruction of Hawkins Sitting Area, City Island Avenue and Hawkins Street, Bronx. (Preliminary and Final) (CC 13, CB 10) DPR
- 23492: Reconstruction of Pearl Street Playground, Pearl Street between Fulton Street and Beekman Street, Manhattan. (Final) (CC 1, CB 1) DPR
- 23439: Reconstruction of Pearly Gates Playground, Tratan Avenue and Saint Peter's Avenue, Bronx. (Final) (CC 13, CB 10) DPR
- 23440: Installation of streetscape improvements and construction of Catherine Slip Park, Catherine Slip between South Street and Cherry Street, Manhattan. (Final) (CC 1 & 2, CB 1 & 3) DPR
- 23441: Construction of a pavilion, Wishing Well Community Garden, 864 Reverend James Polite Avenue, Bronx. (Preliminary and Final) (CC 17, CB 2) DPR
- 23442: Construction of a pavilion, Phoenix Community Garden, 2037 Fulton Street, Brooklyn. (Preliminary and Final) (CC 41, CB 16) DPR
- 23181: Rehabilitation of the Shaft 9 gatehouse and adjacent site work, New Croton Aqueduct, Sleepy Hollow, Westchester County. (Final) DEP
- 23182: Rehabilitation of the Shaft 11A headhouse and adjacent site work, New Croton Aqueduct, White Plains Road, Greenburgh, Westchester County. (Final) DEP
- 23183: Rehabilitation of the Shaft 18 gatehouse and adjacent site work, New Croton Aqueduct, Yonkers Avenue, Yonkers, Westchester County. (Final) DEP
- 23184: Rehabilitation of the Shaft 23 headhouse and adjacent site work, New Croton Aqueduct, West Burnside Avenue, University Heights, Bronx. (Final) (CC 14, CB 5) DEP

- 23185: Rehabilitation of the Shaft 25 headhouse and adjacent site work, New Croton Aqueduct, Highbridge Park, Manhattan. (Final) (CC 10, CB 12) DEP/DPR
- 23443: Installation of a prototypical newsstand, 620 Eighth Avenue, northeast corner of West 41st Street and Eighth Avenue, Manhattan. (Preliminary and Final) (CC 3, CB 5) DConA
- 23444: Installation of a prototypical newsstand, 63 Madison Avenue, southeast corner of Madison Avenue and East 28th Street, Manhattan. (Preliminary and Final) (CC 2, CB 5) DConA
- 23445: Installation of a prototypical newsstand, 300 West 125th Street, southwest corner of West 125th Street and Frederick Douglas Boulevard, Manhattan. (Preliminary and Final) (CC 9, CB 10) DConA

Public Hearing

- 3:50 p.m.
23446: Reconstruction of East Fordham Road, including the installation of M-Poles with teardrop luminaires, Southern Boulevard to the Bronx River Parkway Approach Ramps, Bronx. (Preliminary) (CC 11, CB 6) DDC/DPR/DOT
- 4:15 p.m.
23447: Installation of a prototypical newsstand, 270 Park Avenue South, northwest corner of East 21st Street and Park Avenue South, Manhattan. (Preliminary and Final) (CC 2, CB 5) DConA
- 23448: Installation of a prototypical newsstand, northeast corner of East 34th Street and Madison Avenue, Manhattan. (Preliminary and Final) (CC 3, CB 6) DConA

Design Commission meetings are held in the conference room on the third floor of City Hall, unless otherwise indicated. Please note that all times are approximate and subject to change without notice.

Members of the public who plan to attend are encouraged to arrive at least 45 minutes in advance of the estimated time; those who also plan to testify are encouraged to submit their testimony in writing at least three (3) business days in advance of the meeting date.

Any person requiring reasonable accommodation in order to participate should contact the Design Commission at least three (3) business days in advance of the meeting date.

Design Commission
City Hall, Third Floor
New York, NY 10007
Phone: (212) 788-3071
Fax: (212) 788-3086

DESIGN & CONSTRUCTION

AGENCY CHIEF CONTRACTING OFFICER

AWARDS

Construction/Construction Services

PV503HALL, CARNEGIE HALL STERN AUDITORIUM RECONSTRUCTION, MANHATTAN – Sole Source – Available only from a single source - PIN# 8502008PV0019P – AMT: \$8,356,000.00 – TO: Carnegie Hall Corporation, 881 Seventh Avenue, New York, NY 10019.